IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 392 OF 2005

SMT. MARIA FERNANDES, PANAJI GOA ....Petitioner

Versus

CORPORATION OF CITY OF PANAJI THROUGH ITS COMMISSIONER AND ANR., ...Respondents

Mrs. A. Agni, Advocate for the Petitioner.
Mr. V. P. Thali, Advocate For Respondent No. 1

Coram:- R. M. LODHA &
N. A. BRITTO, JJ.

Date:- 24th October, 2005

P.C.:

During the course of motion hearing, Mr. V.P. Thali, the learned counsel for the Respondent No.1 made two statements: (i) That the petitioner continues to carry on her business in the temporarily allotted Stall No.10 constructed near the Fish Market; and (ii) That the Respondent No.1 shall not pass any order for removal of the petitioner from Stall No.10 near the Fish Market without hearing the petitioner.

In the light of the statement made by the learned counsel for the Respondent No.1, we are satisfied that the Writ Petition does not deserve to be entertained and it is disposed of by the following Order :-

(i) The respondent No.1 shall issue notice to the petitioner before she is asked to remove Stall from No.10 near the Fish Market, Panaji.

(ii) It will be open to the petitioner to raise all available contentions in response to the notice that may be issued to her by respondent No.1.

Order accordingly.

R. M. LODHA, J.

N. A. BRITTO, J.

sl.